THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 13560 of 2006

Oral order:

Aggrieved by the action of the respondents-APSRTC in not granting Special Grade increment upon completion of 12 years of service, he filed the present writ petition.

The petitioner states that though he was removed from service, but having regard to the fact that the Labour Court in the I.D. filed by him had directed the respondents to reinstate him into service with continuity of service, he upon completion of 12 years is entitled to be granted Special Grade Increment, and though upon completion of 12 years of service, he made representation dated 24.12.2004 to the 2nd respondent-Depot Manager, requesting him to grant Special Grade Increment, no action thereon had been taken till date.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC.

In **M.D. Rahamatulah v. Depot Manager, APSRTC**[1], a learned Judge of this Court held that whenever a Labour Court directs reinstatement with continuity of service, but without backwages, the employee concerned will be entitled for all the benefits flowing from continuity of service. Inasmuch as it is the case of the petitioner that though he was removed from service, the Labour in the I.D. filed by him had directed the respondents to reinstate him into service with continuity of service, but without backwages, and having regard to the fact that the representation dated 24.12.2004, said to have been made by the petitioner to the 2nd respondent, namely Depot Manager, seeking release of Special Grade Increment upon his completing 12 years of service, is said to be still pending, I deem it appropriate to dispose of the writ petition with the following directions:

The 2nd respondent, namely the Depot Manager, APSRTC, Korutla Depot, Karimnagar District, is directed to consider and dispose of the representation dated 24.12.2004 of the petitioner for release of Special Grade Increment in the light of Circular No. PD No. 65/1989, dated 03.05.1989 and judgment of this Court referred to above, and

pass appropriate orders releasing the Special Grade Increment, if he had completed 12 years of service in the post.

Accordingly, the writ petition is disposed of. No costs.

N.V. RAMANA, J.

Date: 6th July, 2006.
KSR

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[1] 1994 (4) ALT 515